

Privilege

the question of in what way any member's privileges have been affected, as opposed to the fact that they may have been inconvenienced or they may have been angered or irritated because there is a distinction and I know hon. members realize that.

The hon. member for Yorkton—Melville raised the issue that was in front of the Speaker a little while ago with respect to an incident in committee and the hon. chairman rose in the House to apologize and that was the end of it. I have never said that there would not be, or could not be, an occasion in which something that happened in committee might not very well be a question of privilege. I have always indicated that it has to be pretty severe indeed, and I would ask hon. members to keep that in mind in their remarks. I am getting a very clear picture of the circumstances and the arguments that are being used and, again, I thank hon. members for being precise.

• (1600)

I will hear next the hon. member for Nickel Belt. Again, I am going chronologically.

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I will keep in mind the injunction you made.

My question of privilege arises from what took place last evening when the Conservative majority stomped on the rights of the minority in the finance committee and put an end to the discussions on the GST. My question of privilege has nothing to do with my being irritated; I was not inconvenienced at all. My question of privilege arises from something that is set out very, very clearly in Beauchesne's, fifth edition, citation 1. He cites, on the principles of parliamentary law, and I quote:

The principles that lie at the basis of English parliamentary law, have always been kept steadily in view by the Canadian Parliament; these are: To protect a minority and restrain the improvidence or tyranny of a majority;—

In that committee, I am in a minority. There are two members of the New Democratic Party on that committee, four members from the Liberal Party and eight members from the governing party. The governing party then has a majority.

We have rules of the House. We have the Standing Orders of the House which apply to committees and apply to the House. We have Beauchesne's which sets out in its citations a set of precedents of prior law.

As a minority, I am bound by those laws. We are all bound by those laws, and anything that we were doing in that committee in opposing the GST was within that law. The government members, the majority, may not have liked the fact that we were waging a filibuster. They may not have liked that. But, the fact was that we were not doing anything that was outside the parameters of the law. The law of the Standing Orders of the committee provided for that. We did not violate a law. We were simply conducting ourselves within the law. Standing Order 1 states, and I quote:

In all cases not provided for hereinafter, or by other Order of the House, procedural questions shall be decided by the Speaker or Chairman, whose decisions shall be based on the usages, forms, customs and precedents of the House of Commons of Canada and on parliamentary tradition in Canada and other jurisdictions, so far as they may be applicable to the House.

I am not concerned about what in fact took place in 1984, because it does not fall within what I would consider precedents. Last night, the majority adopted the position that might was right. I think they ought to take a line from *Camelot* that it ought not to be might is right, but might for right. In fact, the majority in that committee ought to be standing up for respect of the rules, because they indeed protected the minority.

It was not as if the government members on the committee were bereft of a solution to their problem. They had a solution to the problem of a filibuster in the committee. They had not exhausted every opportunity to bring that filibuster to an end. They could very well have come to the House for an order, which is provided for in the rules. They had a responsibility to respect the rules. They have a responsibility to obey the rules, just as the minority have a responsibility to obey the rules. Every time the rule is violated for minorities, down the line the rule is going to be violated for them as well.

We have a legitimate right to have our rights protected because we have always been entrusted with the highest form of legitimacy: the confidence of the citizens of this country. Our democracy is based on the rule of law. If that rule of law is removed in the committees, then what we will have is the rule of the jungle. That invites the minority to resort to doing things outside the law, outside the Standing Orders. We would never do that, so I wonder why it is that the majority of the Conservative members sought to resort to the jungle, to the rule of might, to squash the minority that were filibustering